

FILED
CIRCUIT COURT OF
THE THIRD CIRCUIT
STATE OF HAWAII

2015 MAY -9 AM 8:16

CLERK B. POY

1 Paul J. Sulla, Jr. (SBN 5398)
2 Locky E. White (SBN 10487)
3 Attorneys at Law
4 P.O. Box 5258
5 Hilo, HI 96720
6 Telephone: 808/933-3600

7 Attorneys for Plaintiff,
8 ALEJANDRO "ALIKA" TEJADA

9 IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

10 STATE OF HAWAII

11 ALEJANDRO "ALIKA" TEJADA,

12 Plaintiff,

13 v.

14 HAWAII HEALTH SYSTEMS
15 CORPORATION, an instrumentality of the
16 STATE OF HAWAII doing business as HILO
17 MEDICAL CENTER; JOHN DOES 1-10;
18 JANE DOES 1-10; DOE CORPORATIONS
1-10; DOE PARTNERSHIPS 1-10; DOE
UNINCORPORATED ORGANIZATIONS
1-10; and DOE GOVERNMENTAL
AGENCIES 1-10,

19 Defendants.

) Civil No. 19 - 1 - 0136

) COMPLAINT; DEMAND FOR JURY
) TRIAL; SUMMONS

) (other civil action)

20 COMPLAINT

21 Comes now, Plaintiff ALEJANDRO "ALIKA" TEJADA ("plaintiff" or "Mr. Tejada") by
22 and through attorneys Paul J. Sulla, Jr. and Locky E. White, and complains against the above-
23 named Defendants alleges and avers as follows:

24 PARTIES

25 1. ALEJANDRO "ALIKA" TEJADA is, and at all relevant times herein has been, a
26 resident of the County of Hawai'i. He is a native Hawaiian who previously served as pūkaau
(war leader) for the High Chief at Pu'ukoholā Heiau near Kohala on Hawaii Island. He is

1 currently a kahu and active practitioner of the native Hawaiian religion in addition to being a
2 devout Catholic.

3 2. Defendant HAWAII HEALTH SYSTEMS CORPORATION is an instrumentality
4 of the STATE OF HAWAII doing business as HILO MEDICAL CENTER (“HMC” or “the
5 corporate defendant”). At all relevant times herein HMC has been an instrumentality of the State
6 of Hawaii pursuant to the Hawaii Revised Statutes Chapter 323F engaged in the business of
7 operating hospitals and healthcare systems in the State of Hawaii.
8

9 JURISDICTION AND VENUE

10 3. This Court has jurisdiction over the subject matter and the parties pursuant to
11 HRS Section 603-21.5.

12 4. Venue is proper in this circuit pursuant to HRS Section 603-36 because plaintiff’s
13 claims for relief arose in this circuit.
14

15 GENERAL ALLEGATIONS

16 5. On September 28, 2018 Mr. Tejada suffered from a stroke and went to the closest
17 emergency room for medical treatment at Hilo Medical Center (“HMC”) and arrived at HMC a
18 little after 6:00 p.m.

19 6. Mr. Tejada’s wife, Debra Tejada (“Mrs. Tejada”), drove Mr. Tejada to the
20 emergency room at Hilo Medical Center and witnessed all of the events described herein.

21 7. Based on Mr. Tejada’s symptoms, the doctor recommended a CT scan for Mr.
22 Tejada, among other medical diagnostics.
23

24 8. While preparing for his CT scan shortly after Mr. Tejada’s admission to the
25 hospital, a CT Technician whose name remains unknown to Plaintiff (“Jane Doe 1”) made it
26 clear that all jewelry must be removed from the patient, Mr. Tejada, prior to the CT scan.

1 9. Jane Doe 1 called Mrs. Tejada over for help removing Mr. Tejada's earrings.

2 10. Mrs. Tejada then reached for Mr. Tejada's other item of jewelry: his whale tooth
3 necklace. When Mrs. Tejada began to remove Mr. Tejada's necklace, she was intercepted by
4 Jane Doe 1 who insisted on removing the item herself.

5 11. Jane Doe 1 nudged Mrs. Tejada back and said she would take care of it.

6 12. When Mr. and Mrs. Tejada protested and told Jane Doe 1 she was not to touch the
7 necklace --because of the sensitive nature of the item which had great personal, spiritual,
8 ancestral, cultural, and monetary value-- Jane Doe 1 said to Mr. and Mrs. Tejada: "My room, my
9 rules. Do you want him to die?" and proceeded to remove the item in great haste.

10 13. The item removed from Mr. Tejada's person by Jane Doe 1 as "jewelry" consisted
11 of traditional Hawaiian cordage and a very old niho koholā (sperm whale tooth) called Kuha'o
12 which had an imbedded piece of jade that had been passed down in his family for several
13 generations since the days of Kamehameha (hereinafter "whale tooth pendant" or "niho
14 koholā").

15 14. Mr. Tejada's ancestors had served Kamehameha as warriors at Pu'ukoholā Heiau
16 near what is now Kawaihae Harbor on Hawaii Island. This item was entrusted to Mr. Tejada by
17 his family specifically because of Mr. Tejada's accomplishments as a lua (Hawaiian martial arts)
18 master and warrior for Hawaii. It was a form of tabua, or kapu piece of regalia which held his
19 ancestors' mana (power). Hawaiian Protocol dictated that it could only be touched by Mr. or
20 Mrs. Tejada or other designated family members and thus it was extremely offensive and
21 concerning to Mr. and Mrs. Tejada that Jane Doe 1 insisted on touching the niho koholā and
22 removing it herself.

1 15. Immediately after the niho koholā was removed, the bed itself began to move and
2 Mr. Tejada was wheeled off suddenly to obtain his CT scan. The first CT scan too place around
3 7:15pm with another CT scan conducted about an hour later.

4 16. After the CT scan, which was after midnight, the doctor administered medication
5 and recommended that Mr. Tejada stay in the ICU. Mrs. Tejada went home for rest and assumed
6 that the Whale Tooth was being stored in the hospital safe as a patient valuable. Once the CT
7 scan was completed the CT tech was nowhere to be found and neither Mr. nor Mrs. Tejada could
8 find anyone in the hospital with any information about the Whale Tooth.

10 17. After several hours of waiting for a bed to be available at the ICU Mr. Tejada felt
11 much better and asked to be discharged. When Mr. and Mrs. Tejada asked about the Whale
12 Tooth, no one at the hospital had any information for them.

13 18. The Tejada's thought perhaps the whale tooth would resurface eventually but
14 after several days and several calls and in-person visits to the hospital, the Whale Tooth was
15 nowhere to be found and the hospital claimed to have no record of ever having it.

16 19. Mr. Tejada filed a claim for his lost Whale Tooth, which was denied by the State
17 of Hawaii Department of Accounting and General Services ("DAGS") on April 9, 2019.

18 20. Despite the fact that the hospital staff claimed that the hospital never had
19 possession of the Whale Tooth, in its April 9, 2019 denial letter, Tracy Kitaoka, Risk
20 Management Officer at DAGS, admitted that the hospital did at one time have possession of the
21 Whale Tooth but then claimed that it was later given to Mrs. Tejada who placed it in her purse.
22 This statement was false and derogatory. Mrs. Tejada is a devout Catholic and not a liar. She
23 would remember if she placed such an important and valuable item in her purse.
24
25
26

1 21. The specificity of the statement made in the DAGS April 9 letter regarding Mrs.
2 Tejada makes it clear to Plaintiff that someone at HMC made up a story about the Whale Tooth
3 and tried to blame Mrs. Tejada for its loss, likely to cover up their own malfeasance. It is
4 Plaintiff's information and belief that this person who made up this story about his wife is Jane
5 Doe 1 who knew of the Whale Tooth's value and intended to take the Whale Tooth and the lie
6 about what happened to it.

7
8 22. Mr. Tejada and the undersigned counsel each requested the name of the CT Tech,
9 Jane Doe 1, on numerous occasions from HMC and its counsel and representatives. They also
10 requested the name of whoever claims to have seen Mrs. Tejada place the Whale Tooth in her
11 purse, but HMC is unreasonably withholding this information and thus actively hindering
12 Plaintiff's private investigation into the whereabouts of the lost or stolen artifact. Time is of the
13 essence in such cases and any information that may lead to its recovery becomes worthless if too
14 much time passes because the item is small and easy to dispose of.

15
16 23. The Whale Tooth has been lost or stolen by someone at HMC and HMC has been
17 negligent in its handling of Mr. Tejada's Whale Tooth and Plaintiff's subsequent claim for its
18 loss and requests for further information.

19 24. As a result of HMC's and Jane Doe 1's conduct, Mr. Tejada suffered and
20 continues to suffer damages as more specifically described in the prayer below. Because of the
21 significant spiritual and personal power that the Whale Tooth represented and contained, Mr.
22 Tejada feels weak without it, as if he has lost his mana (power) and upset the spirits of his
23 ancestors. The family members who entrusted him with the Whale Tooth have shunned Mr.
24 Tejada and he has become socially isolated as a result. The loss of the Whale Tooth has robbed
25 Mr. Tejada of much personal power which has interfered with his healing.

1 25. Even worse, Mr. Tejada trusted HMC which breached his trust and, through its
2 claims administrator DAGS, indicated in writing that the Tejada's were liars who actually had
3 possession of the Whale Tooth, which they do not. Because of the false statement made in the
4 April 9, 2019 letter from DAGS and HMC's refusal to conduct a more thorough investigation
5 and/or disclose the identity of Jane Doe 1, Mr. Tejada feels violated to the point where HMC no
6 longer is a healing place for him and he has delayed receiving further medical treatment from
7 HMC for fear of additional mistreatment.

9 26. Because HMC is the only hospital in Hilo, this loss of trust between HMC and
10 Mr. Tejada has significantly impeded Mr. Tejada's ability to receive necessary medical care as
11 needed which has endangered Mr. Tejada's life on numerous occasions as he has had additional
12 small strokes since his admission to HMS on September 28, 2018.

13 27. As a state hospital, HMC is an instrumentality of the State of Hawaii and thus its
14 officers should make every effort to comply with Hawaii Rev. Stat. §5-7.5 and treat Mr. Tejada
15 with Aloha. Instead it has --through its agents and/or employees-- taken Mr. Tejada's most
16 sacred relic and allowed it to become lost or stolen and then refused responsibility for this loss,
17 refused to fully cooperate in Plaintiff's private investigation into this loss, falsely indicated in
18 writing that Mr. and Mrs. Tejada are liars, and overall failed to conduct this inquiry or its
19 interactions with Mr. Tejada with an "Aloha Spirit", in violation of Hawaii Rev. Stat. §5-7.5.

21 28. According to Hawaii Rev. Stat. §5-7.5 (a):

22 "Aloha Spirit" is the coordination of mind and heart within each person. It
23 brings each person to the self. Each person must think and emote good feelings
24 to others. In the contemplation and presence of the life force, "Aloha", the
25 following unuhi laula loa may be used:

26 "Akahai", meaning kindness to be expressed with tenderness;
 "Lokahi", meaning unity, to be expressed with harmony;
 "Oluolu", meaning agreeable, to be expressed with pleasantness;

1 "Haahaa", meaning humility, to be expressed with modesty;
2 "Ahonui", meaning patience, to be expressed with perseverance.

3 These are traits of character that express the charm, warmth and sincerity of
4 Hawaii's people. It was the working philosophy of native Hawaiians and was
5 presented as a gift to the people of Hawaii. "Aloha" is more than a word of
6 greeting or farewell or a salutation. "Aloha" means mutual regard and affection
7 and extends warmth in caring with no obligation in return. "Aloha" is the
8 essence of relationships in which each person is important to every other person
9 for collective existence. "Aloha" means to hear what is not said, to see what
10 cannot be seen and to know the unknowable.

11 (b) In exercising their power on behalf of the people and in fulfillment of
12 their responsibilities, obligations and service to the people, the legislature,
13 governor, lieutenant governor, executive officers of each department, the chief
14 justice, associate justices, and judges of the appellate, circuit, and district courts
15 may contemplate and reside with the life force and give consideration to the
16 "Aloha Spirit". [L 1986, c 202, §1]

17 29. As a Native Hawaiian Mr. Tejada's relationship with the State of Hawaii is
18 complex as it is well-recognized that the origins of the State of Hawaii is rooted in an illegal
19 overthrow as set forth more fully by the U.S. Congress in its Apology Resolution. United States
20 Public Law 103-150 --informally known as the Apology Resolution-- is a Joint Resolution of the
21 U.S. Congress adopted in 1993 that "acknowledges that the overthrow of the Kingdom of Hawaii
22 occurred with the active participation of agents and citizens of the United States and further
23 acknowledges that the Native Hawaiian people never directly relinquished to the United States
24 their claims to their inherent sovereignty as a people over their national lands, either through the
25 Kingdom of Hawaii or through a plebiscite or referendum" (U.S. Public Law 103-150 (107 Stat.
26 1510)).

27 30. The loss of the Niho Kohola and the subsequent dismissive and disrespectful
28 handling of the matter by HMC is one more act of cultural genocide which has caused Mr.
29 Tejada significant harm as a traditional native Hawaiian cultural practitioner.

31. Further, the Hawaii Constitution Art. IX and XII is meant to protect Mr. Tejada's health and welfare and his traditional and customary rights, including the right to handle his ancestral relic, the niho kohola, according to Hawaiian protocol which is something Mr. Tejada was unreasonably denied.

FIRST CAUSE OF ACTION

NEGLIGENCE
(against all defendants)

32. Plaintiff incorporates by reference each and every allegation contained in paragraphs 1-33, inclusive, as set forth above.

33. Defendant HMC and Jane Doe 1 had a duty to Plaintiff as its patient to conform to a certain standard of conduct and respect Mr. Tejada’s religious beliefs and reasonable request to follow certain protocols in relation to his family heirloom, the niho koholā, and allow Mrs. Tejada to remove the niho koholā from Mr. Tejada to prepare for the CT scan.

34. HMC and Jane Doe 1 also had a duty to keep the niho koholā safe from loss or theft while it was in the HMC's possession and to return the niho koholā to Mr. Tejada when he requested it back.

35. HMC and its officers also had a duty to exercise its power with due regard to the Aloha Spirit and to assist Mr. Tejada and his attorneys in their investigation as to the whereabouts and disposition of the whale tooth by providing the name of Jane Doe 1 and the name of the witness who claims to have seen Mrs. Tejada take the Whale Tooth and place it in her purse.

36. HMC and Jane Doe 1 both breached this duty by not allowing Mrs. Tejada to remove the niho koholā from Mr. Tejada and by not returning the niho koholā to Mr. Tejada when he requested it, nor cooperating fully in Mr. Tejada’s investigation of same.

1 37. Because HMC and Jane Doe 1 breached the above duties to Mr. Tejada, the niho
2 koholā was never returned to Mr. Tejada and appears to have been lost or stolen.

3 38. The niho koholā is a priceless personal, cultural, spiritual, historical, and family
4 artifact or relic that is irreplaceable.

5 39. The niho koholā is made out of a sperm whale tooth and because the trade in
6 sperm whale teeth has been outlawed in the United States pursuant to the Endangered Species
7 Act, 18 U.S.C. § 371 and the Lacey Act, 16 U.S.C. §§ 3372-3373, finding a replacement tooth
8 would be impossible and illegal.

9 40. Not only is Mr. Tejada damaged because of the loss of his niho koholā is a loss of
10 a very valuable item (worth over \$100,000.00) the loss of the niho koholā creates severe
11 psychological harm for Mr. Tejada who viewed the niho koholā as a source of his mana (power)
12 and the distress and sadness caused by the loss of this cherished item is causing Mr. Tejada
13 sleepless nights, severe anxiety, family conflict, and hindering his ability to heal. The loss of
14 trust created from HMC and Jane Doe 1's handling of this incident has prevented Mr. Tejada
15 from seeking further necessary medical treatment from HMC which is life-threatening for him.
16 The isolation Mr. Tejada is feeling from his family members who entrusted this sacred relic to
17 his care shunning him and being angry at him for its loss and the breach of protocol of a stranger
18 touching the item is further causing Mr. Tejada significant distress.

19 41. As a result of defendants' conduct described above, Plaintiff suffered damages as
20 further described in the prayer below.
21
22
23
24
25
26

SECOND CAUSE OF ACTION
NEGLIGENT TRAINING and SUPERVISION
(against HMC)

42. Plaintiff incorporates by reference each and every allegation contained in paragraphs 1-41, inclusive, as set forth above.

43. HMC is, upon information and belief, the employer for Jane Doe 1. HMC, as Jane Doe 1's employer, knew or should have known that it needed to exercise sufficient supervision and control of its employees to prevent the loss or theft of patient valuables.

44. HMC, if it is not the employer for Jane Doe 1, nevertheless hired Jane Doe 1 as an independent contractor to act as an agent of HMC. Whether Jane Doe 1 was an employee or an independent contractor, HMC knew or should have known of the necessity and opportunity for exercising control over Jane Doe 1 to prevent theft, loss, or offensive disrespectful behavior towards all patients --including Mr. Tejada-- when handling valuables and/or items of religious and spiritual significance.

45. The need to exercise said control is foreseeable. Patients come to HMC both conscious and unconscious and often wearing items of import that must be removed for various medical scans such as wedding rings, engagements rings, or other significant personal and family valuables. Without the exercise of said control patients who are relying on the hospital to exercise its duty of care in relation to the safe and respectful keeping of patient valuables are subjected to an unnecessary risk of loss of that valuable which creates significant stress and exacerbates many medical conditions and the healing process.

46. HMC was on notice that Jane Doe 1 needed a greater degree of control or supervision because she was the one preparing patients for CT scans, so she was the one primarily responsible for removing valuables from patients.

1 47. As a result of Defendant HMC's conduct described above, Plaintiff suffered
2 damages as further described above and in the prayer below.

3 THIRD CAUSE OF ACTION
4 CONVERSION
5 (against Jane Doe 1)

6 48. Plaintiff incorporates by reference each and every allegation contained in
7 paragraphs 1-47, inclusive, as set forth above.

8 49. Hawaii law defines conversion as "[a]ny distinct act of dominion wrongfully
9 exerted over one's property in denial of his right or inconsistent with it." Tsuru v. Bayer, 25 Haw.
10 693, 696 (Haw. Terr. 1920) (internal citation and quotation omitted). By taking the whale tooth
11 off of his person over the objection of the Plaintiff, Jane Doe 1 engaged in a distinct act of
12 dominion or control over the Whale Tooth. This action was taken wrongfully because Mrs.
13 Tejada was present and able to take the Whale Tooth off but was prevented from doing so by
14 Jane Doe 1.

15
16 50. The letter from DAGS to Plaintiff's counsel dated April 9, 2019 admits that HMC
17 did indeed have possession of the Whale Tooth at one time. Because that possession was gained
18 over the protest of Mr. and Mrs. Tejada, it was taken from the owner without his consent.

19 51. Because the Whale Tooth has not yet been returned, such a failure to return the
20 Whale Tooth when requested by Plaintiff was an unwarranted assumption of ownership of this
21 Whale Tooth.

22 52. The Whale Tooth is now missing and may have been transferred to another,
23 which is illegal as it is a Whale Tooth and a Hawaiian antiquity which is illegal to trade or sell.
24 Thus Jane Doe 1 illegally used or abused the Whale Tooth.
25
26

1 53. Because Jane Doe 1 prevented Mrs. Tejada from removing the Whale Tooth from
2 Mr. Tejada and insisted on handling the tooth over the patient's protest, Jane Doe 1 intended to
3 take the Whale Tooth which she knew or should have known would cause injury to the Plaintiff,
4 who was in an especially vulnerable position being in the hospital for treatment due to a stroke.

5 54. As a result of Jane Doe 1's conduct described above, Plaintiff suffered damages
6 as further described above and in the prayer below.
7

8 FOURTH CAUSE OF ACTION
9 GROSS NEGLIGENCE
 (against all defendants)

10 55. Plaintiff incorporates by reference each and every allegation contained in
11 paragraphs 1-54, inclusive, as set forth above.

12 56. As described above, HMC and Jane Doe 1 had a legal duty to respect Mr.
13 Tejada's religious and cultural rights and request to follow Hawaiian protocol in relation to the
14 Whale Tooth and allow Mrs. Tejada to remove it instead of hospital staff.
15

16 57. As described above, HMC and Jane Doe 1 had a legal duty to keep the Whale
17 Tooth safe and to return it to Mr. Tejada upon his request.

18 58. Both HMC and Jane Doe 1 were indifferent to their above-described legal duties
19 and refused Mr. Tejada's reasonable requests and failed to keep the Whale Tooth safe from loss
20 or theft.

21 59. Both HMC and Jane Doe 1 were forgetful of their legal obligations to Mr. Tejada
22 and disrespected his personal and civil rights to be secure in his person and property and to have
23 his culture and religion respected.
24

25 60. By losing the Whale Tooth, HMC and Jane Doe 1 exhibited a manifestly smaller
26 amount of watchfulness and circumspection than the circumstances required of a person of

1 ordinary prudence in a hospital setting where patients are particularly vulnerable and dependent
2 upon HMC and its staff.

3
4 FIFTH CAUSE OF ACTION
5 BREACH OF FIDUCIARY DUTY
6 (against all defendants)

7 61. Plaintiff incorporates by reference each and every allegation contained in
8 paragraphs 1- 60, inclusive, as set forth above.

9 62. HMC and Jane Doe 1 each had a fiduciary duty to Plaintiff to keep all personal
10 belongings taken from him by hospital staff safe from loss or theft.

11 63. By failing to return the Whale Tooth to Plaintiff after taking it from him and
12 apparently losing the Whale Tooth, HMC and/or Jane Doe 1 breached their fiduciary duty to
13 Plaintiff.

14 64. Mr. Tejada was significantly damaged when HMC and Jane Doe 1 was either
15 unwilling or unable to return the Whale Tooth to him. The Whale Tooth is a rare artifact of great
16 monetary value and is also irreplaceable. Its loss created significant emotional harm and distress
17 for Plaintiff and has hindered his ability to heal from his stroke.

18 65. As a result of Jane Doe 1's conduct described above, Plaintiff suffered damages
19 as further described above and in the prayer below.

20 SIXTH CAUSE OF ACTION
21 VIOLATION OF HAWAII CONSTITUTION ART. IX, XII, AND PLAINTIFF'S CIVIL
22 RIGHTS
23 (against Defendant HMC)

24 66. Plaintiff incorporates by reference each and every allegation contained in
25 paragraphs 1-65, inclusive, as set forth above.

1 67. According to the Constitution for the State of Hawaii Article IX: PUBLIC
2 HEALTH AND WELFARE Section 1, “the State shall provide for the protection and promotion
3 of the public health.”

4 68. Jane Doe 1, as an employee or agent of HMC, threatened to withhold medical
5 treatment from Plaintiff if he did not allow her to remove his Whale Tooth. In stating “my room,
6 my rules” and “do you want to die?” in explaining to Plaintiff why she had to remove the Whale
7 Tooth and could not allow Mrs. Tejada to instead remove the tooth, Plaintiff perceived this as a
8 threat to withhold care and thus a threat to his life and felt no choice but to allow Jane Doe 1 to
9 breach protocols and remove the Whale Tooth herself. This was a violation of HMC’s duty to
10 provide for the health and welfare of Mr. Tejada.

11 69. According to the Constitution for the State of Hawaii Article XII:
12 TRADITIONAL AND CUSTOMARY RIGHTS, Section 7, “the State reaffirms and shall
13 protect all rights, customarily and traditionally exercised for subsistence, cultural and religious
14 purposes and possessed by ahupua'a tenants who are descendants of native Hawaiians who
15 inhabited the Hawaiian Islands prior to 1778, subject to the right of the State to regulate such
16 rights.”

17 70. Plaintiff’s Niho Kohola was a cultural artifact of great historical and spiritual
18 significance. As an instrumentality of the State of Hawaii HMC must respect Mr. Tejada’s
19 constitutionally-protected traditional and customary rights as a Native Hawaiian. The right of
20 Mr. Tejada to ensure that his Niho Kohola was not handled or kept by HMC staff is a traditional
21 and customary right because the Niho Kohola was used for cultural and religious purposes and
22 was possessed by Mr. Tejada, who is a descendant of native Hawaiians who inhabited the
23 Hawaiian Islands prior to 1778.

1 71. Instead of respecting Mr. Tejada's constitutional right, Mr. Tejada was maligned
2 by HMC via its claims administrator DAGS who wrote a letter containing false statements and
3 indicating that Plaintiff and his wife were liars, which added significant insult to the injury HMC
4 and its employees and/or agents caused by mishandling of the Whale Tooth.


5 72. As a result of defendants' conduct in those regards, plaintiff suffered damages as
6 more specifically described in the prayer below.
7

8 PRAYER FOR RELIEF

9 WHEREFORE, Plaintiff prays for judgment against defendants as follows:

- 10 1. Assume jurisdiction over this action;
11 2. Order Defendants to pay compensatory damages to Plaintiff;
12 3. For reasonable economic damages in excess of the jurisdictional minimum of this
13 Court in an amount to be determined.
14 4. For an order in equity restraining or enjoining Defendants' defamation of Plaintiff
15 and his wife;
16 5. Grant such other declaratory and injunctive relief as may be appropriate
17 6. For reasonable attorney fees as provided for by state statute;
18 7. For costs of suit; and,
19 8. For such other and further relief as the Court may deem just and proper.

20
21
22
23
24
25
26
DATED: Hilo, Hawaii, May 8th, 2019

By: 
Paul J. Sulla Jr. (SBN #5398)
Lockey E. White (SBN #10487)
Attorneys for Plaintiff

1 Paul J. Sulla, Jr. (SBN 5398)
2 Lockey E. White (SBN 10487)
3 Attorneys at Law
4 P.O. Box 5258
5 Hilo, HI 96720
6 Telephone: 808/933-3600

7 Attorneys for Plaintiff,
8 ALEJANDRO "ALIKA" TEJADA

9 IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

10 STATE OF HAWAI'I

11 ALEJANDRO "ALIKA" TEJADA,

12 Plaintiff,

13 v.

14 HAWAII HEALTH SYSTEMS CORPORATION, an
15 instrumentality of the STATE OF HAWAII doing
16 business as HILO MEDICAL CENTER; JOHN
17 DOES 1-10; JANE DOES 1-10; DOE
18 CORPORATIONS 1-10; DOE
19 PARTNERSHIPS 1-10; DOE
20 UNINCORPORATED ORGANIZATIONS
21 1-10; and DOE GOVERNMENTAL
22 AGENCIES 1-10,

23 Defendants.

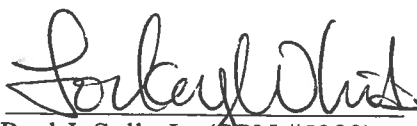
Civil No. 19 - 1 - 0136

DEMAND FOR JURY TRIAL

24 DEMAND FOR JURY TRIAL

25 Plaintiff hereby demands trial by jury on all issues so triable herein.

26 DATED: Hilo, Hawaii, May 7th, 2019

By: 
Paul J. Sulla Jr. (SBN #5398)
Lockey E. White (SBN #10487)
Attorneys for Plaintiff

STATE OF HAWAII CIRCUIT COURT OF THE THIRD CIRCUIT	SUMMONS TO ANSWER CIVIL COMPLAINT	CASE NUMBER <div style="font-size: 1.2em; font-family: monospace;">19-1-0136</div>
PLAINTIFF ALEJANDRO "ALIKA" TEJADA	vs.	DEFENDANT HAWAII HEALTH SYSTEMS CORPORATION, and instrumentality of the STATE OF HAWAII doing business as HILO MEDICAL CENTER, ET AL.
PLAINTIFF'S ADDRESS AND TELEPHONE NUMBER C/O LOCKEY E. WHITE & PAUL J. SULLA, JR. ATTORNEYS AT LAW P.O. BOX 5258 HILO, HI 96720		
<p>TO THE ABOVE NAMED DEFENDANT(S)</p> <p>You are hereby summoned and required to file with the court and serve upon LOCKEY E. WHITE AND PAUL J. SULLA, JR, ATTORNEYS AT LAW</p> <p>plaintiff's attorney, whose address is P.O. BOX 5258, HILO, HI 96720</p> <p>an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.</p> <p style="text-align: center; margin-top: 20px;">THIS SUMMONS SHALL NOT BE PERSONALLY DELIVERED BETWEEN 10:00 P.M. AND 6:00 A.M. ON PREMISES NOT OPEN TO THE GENERAL PUBLIC, UNLESS A JUDGE OF THE ABOVE-ENTITLED COURT PERMITS, IN WRITING ON THIS SUMMONS, PERSONAL DELIVERY DURING THOSE HOURS.</p> <p style="text-align: center; margin-top: 20px;">A FAILURE TO OBEY THIS SUMMONS MAY RESULT IN AN ENTRY OF DEFAULT AND DEFAULT JUDGMENT AGAINST THE DISOBEYING PERSON OR PARTY.</p>		
DATE ISSUED <div style="font-size: 1.1em; font-family: monospace;">MAY - 9 2019</div>	CLERK <div style="font-size: 1.1em; font-family: monospace;">BYRON POY (SEAL)</div>	
I do hereby certify that this is a full, true, and correct copy of the original on file in this office.		CIRCUIT COURT CLERK



In accordance with the Americans with Disabilities Act and other applicable state and federal laws, if you require a reasonable accommodation for a disability, please contact the ADA Coordinator at the Circuit Court Administration Office at PHONE NO. 961-7440, FAX 961-7416, or TTY 961-7525 at least ten (10) working days prior to your hearing or appointment date.